

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

WILLIAM NAVARRO CASTILLO,

Plaintiff,

v.

OFFICER BRANTLEY,

Defendant.

CIVIL ACTION NO.: 6:16-cv-49

ORDER FOR SETTLEMENT CONFERENCE

The Court hereby **ORDERS** this matter set for a settlement conference **on or before August 15, 2022**. The parties are directed to coordinate with the undersigned's courtroom deputy regarding dates, as well as the manner in which the Court should conduct the settlement conference—that is, whether in person or by video—within **14 days of this Order**.¹

The following directions are designed to increase the efficiency and effectiveness of the settlement conference. Counsel shall provide a copy of this Order to their clients at least five business days prior to the date of the settlement conference.

Appearance and the Conference. Counsel must ensure a client representative with full settlement authority is available in person or by telephone or video teleconference at all times from the beginning of the conference until the conference is concluded. The client representative must be dialed into the conference, or immediately available, for the entire duration of the conference. If a client representative plans to appear via video teleconference, he or she must test their connection prior to the conference with the undersigned's courtroom deputy.

¹ The undersigned's courtroom deputy, Kim Mixon, can be contacted via email or by mail sent to the Clerk of Court for the Southern District of Georgia.

Good-Faith Negotiations. Before attending the settlement conference, the parties are required to negotiate and make a good-faith effort to resolve the case without Court involvement. In particular, the parties must make specific proposals and counter proposals prior to the settlement conference.

Settlement Statements. Each party shall provide to the undersigned, in confidence, through the undersigned's courtroom deputy clerk, a concise settlement statement. The statement must be received **no later than three business days before the settlement conference.**² The statement shall not be filed with the clerk, and copies of the settlement statement shall not be provided to the other parties in the case. The statement shall not become a part of the file of the case but shall be for the exclusive use of the Magistrate Judge in preparing for and conducting the settlement. The parties are directed to be candid in their statements. The statement should include:

- (1) a summary of the evidence the party expects to produce at trial;
- (2) analysis of the strengths **and weaknesses** of the party's case;
- (3) a settlement proposal; and
- (4) an outline of the settlement negotiations to date.

The settlement statement should not be lengthy but should contain enough information to be useful to the Court in analyzing the factual and legal issues in the case. The statement is not to exceed **five pages, single-spaced**. If not already part of the Court's record, copies of any critical agreements, business records, photographs or other documents or exhibits should be attached to the settlement statement.

² The Court directs the parties to provide their settlement statements to the undersigned's courtroom deputy clerk by email or mail.

Confidentiality. The purpose of the conference is to facilitate settlement of this case, if that is appropriate. The conference will be conducted in such a manner as to not prejudice any party in the event settlement is not reached. To that end, all matters communicated to the undersigned the parties ask to be kept in confidence will be kept confidential and will not be disclosed to any other party.

Preparation for the Conference. At the conference, the parties, through counsel, should be prepared to give a brief presentation outlining the factual and legal highlights of the case. Separate, confidential caucuses will be held with counsel for each party and the parties or a party's representative(s). All parties are directed to be prepared to present in detail, and with reference to supporting documents if so ordered, a thorough analysis of the potential categories and amounts of damages which might reasonably be awarded at trial.

Waiver of Rules. If any party believes this case presents an exceptional circumstance which would justify a variance from these rules, that party must contact the Magistrate Judge's office no later than five business days before the settlement conference to request a waiver of the rules. Waivers are granted only by the Magistrate Judge and only on a showing of exceptional circumstances. No waiver will be valid unless entered into the record by the Court.

Non-Compliance. Failure of any party to comply with the conditions of this Order may result in, among other things, the settlement conference being rescheduled, with the party responsible to bear all associated costs. See Fed. R. Civ. P. 16(f).

SO ORDERED this 17th day of May, 2022.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is written over a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA